

REMARKS/ARGUMENTS

This application has been carefully reviewed in light of the Office Action dated December 13, 2007. Claims 1-4, 6-13, and 15-18 are currently pending in the present application, with claims 1, 8-10, and 17-18 being independent claims. Claims 1, 8-10, and 17-18 have been amended, and claims 5 and 14 have been canceled without prejudice or disclaimer. No new matter is believed to have been introduced to the application by this amendment. Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 103

Claims 1, 5, 6, 8-10, 14, and 15 were rejected under 35 USC § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,757,537 (“Choi”) in view of U.S. Pat. No. 5,872,775 (“Saints”). Claims 2 and 11 were rejected under 35 USC § 103(a) as being unpatentable over Choi and Saints, further in view of U.S. Patent No. 6,608,828 (“Balachandran”). Claims 3, 4, 12, and 13 were rejected under 35 USC § 103(a) as being unpatentable over Choi and Saints, further in view of U.S. Patent No. 6,389,034 (“Guo”). Claims 7 and 16-18 were rejected under 35 USC § 103(a) as being unpatentable over Choi and Saints, further in view of U.S. Patent No. 6,643,272 (“Moon”).

The independent claims, claims 1, 8-10, and 17-18, have been amended to include certain features of dependent claim 5 (and similar claim 14), now canceled. With reference to the particular claim language, the independent claims have been amended to include the features of “locating [an] energy value in a look-up table and selecting an index value associated with the energy value, and . . . forming a message including the index value.”

The applied references are not understood to disclose or suggest the features of the claimed invention, particularly with respect to at least the features of “locating [an] energy value in a look-up table and selecting an index value associated with the energy value, and . . . forming a message including the index value,” as recited in amended independent claims 1, 8-10, and 17-18.

The Office Action contends that Choi at col.2 ll.41-52 discloses “locating [an] energy value in [a] look-up table (or memory)” and at col.16 ll.32-34 discloses “including an index value corresponding to the energy value in [a] message.” Office Action, p.5. Applicants respectfully disagree with this contention.

Choi at col.2 ll.49-50 discloses “read[ing] a power control parameter value corresponding to [a] selected call type from [a] memory.” The call type of Choi is “a call between mobile stations or a call between the mobile station and a wired telephone.” Choi, col.11 ll.54-56. The power control parameter of Choi is thus seen to be a power control parameter value corresponding to a type of call. The type of call is not understood to be a value that aids a decoder to decode a transmission. Applicants, on the other hand, teach “selecting an index value associated with [an] energy value” where “the energy value aids [a] decoder to decode [a] transmission,” as recited in the amended independent claims. Nowhere is Choi understood to teach or suggest “locating [an] energy value in a look-up table and selecting an index value associated with the energy value” that “aids [a] decoder to decode [a] transmission,” let alone “forming a message including the index value” associated with the energy value that aids the decoder to decode the transmission, as recited in amended independent claims 1, 8-10, and 17-18.

The remaining references, Saints, Balachandaran, Guo, and Moon are not understood to disclose or suggest anything to remedy the foregoing deficiencies of Choi. Saints was cited as allegedly teaching traffic energy to pilot energy ratio information, Balachandaran was cited as allegedly teaching a header decoded to identify values for the header fields, Moon was cited as allegedly teaching transmitting a power control bit, and Guo was cited as allegedly teaching positioning power control information in a sub-packet. Office Action, pp.3-7. However, none of these references are understood to teach or suggest at least the features of “locating [an] energy value in a look-up table and selecting an index value associated with the energy value, and . . . forming a message including the index value,” as recited in amended independent claims 1, 8-10, and 17-18.

Accordingly, none of the applied references are understood to disclose or suggest the features of independent claims 1, 8-10, and 17-18, which are believed to be in condition for allowance.

The other claims in the application are dependent from the independent claims discussed above and therefore are believed to be allowable over the applied reference for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, the individual consideration of each on its own merits is respectfully requested.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 170026.

Respectfully submitted,

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